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Attorney Docket No. 20363-012 NATL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Livingston *et al.*
SERIAL NUMBER: 10/009,584 EXAMINER: Guzo, David
FILING DATE: May 21, 2002 ART UNIT: 1636
FOR: IDENTIFICATION OF COMPOUNDS THAT MODIFY
TRANSCRIPTIONAL RESPONSES TO HYPOXIA

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

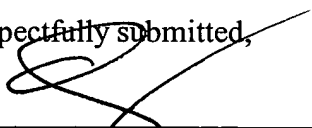
In response to the Restriction Requirement mailed March 9, 2004, attached please find:

1. Response to Restriction Requirement (1 pg.);
2. Preliminary Amendment (3 pgs); and,
3. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 542-6000.

The Commissioner is hereby authorized to charge any fees, which may be required to Deposit Account No. 50-0311 (Reference No. 20363-012 NATL).

Respectfully submitted,


Ivor R. Elrif, Reg. No. 39,529
Cynthia A. Kozakiewicz, Reg. No. 42,764
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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed March 9, 2004 in the above-identified application, Applicants elect Group I, Claims 1-7 drawn to a method of identifying a compound that modulates a transcriptional response to hypoxia in a cell. Applicants make this election without prejudice to pursuing non-elected subject matter in later applications.

A response to the Restriction Requirement is due on or before April 9, 2004. Should any additional fee be due, the Commissioner is hereby authorized to charge the fee, or credit any overpayment, to Deposit Account No. 50-0311, Reference No. 20363-012NATL.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Ivor R. Elrifi", written over a horizontal line.

Ivor R. Elrifi, Reg. No. 39,529
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